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12 CORP., and STEVEN A. SIMI

13 UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
15 (SAN FRANCISCO DIVISION)

16 AUTOMOTIVE INDUSTRIES PENSION  
TRUST FUND, JAMES H. BENO, Trustee,  
17 BILL BRUNELLI, Trustee, STEPHEN J.  
MACK, Trustee, MARK HOLLIBUSH,  
18 Trustee, CHRIS CHRISTOPHERSEN, Trustee,  
DON CROSATTO, Trustee, GEORGE HALL,  
19 JR., Trustee, CHARLES J. DI BARI, Trustee,  
RON NELSON, Trustee, and JAMES V.  
20 CANTERBURY, Trustee,

21 Plaintiffs,

22 v.

23 SIMI MANAGEMENT CORP., a California  
corporation, doing business as CONNELL  
24 AUTO CENTER, and STEVEN A. SIMI also  
known as ANSELMO SIMI, an Individual,

25 Defendants.  
26

Case No.: C 09-02550 JCS

**NOTICE OF SETTLEMENT AND  
JOINT REQUEST TO VACATE CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER**

DATE: February 18, 2011  
TIME: 1:30 P.M.  
JUDGE: HON. JOSEPH C. SPERO  
COURTROOM A  
FIFTEENTH FLOOR  
450 Golden Gate Ave  
San Francisco, CA 94102

The parties hereby notify the Court that they have agreed to settle this case. Under the terms of the settlement, the parties will submit a request for dismissal with prejudice after payment is made. The parties anticipate the settlement will be concluded by March 1, 2011 and if not, shortly thereafter the Plaintiff will request entry of Judgment based on the settlement. In the meantime, the parties stipulate and jointly request that the Case Management Conference, currently set for February 18, 2011, be vacated.

Dated: January 28, 2011

SALTZMAN & JOHNSON LAW CORPORATION

By: \_\_\_\_\_/S/  
Anne M. Bevington  
Attorneys for Plaintiffs

Dated: January 28, 2011

KAY & MERKLE, LLP

By: \_\_\_\_\_/S/  
Douglas A. Marshall  
Attorneys for Defendants

**ORDER**

The parties having given notice of settlement and having stipulated, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Case Management Conference set for February 18, 2011, at 1:30 p.m., be vacated.

IT IS SO ORDERED.

Dated: Jan. 31, 2011

JOSEPH C. SPERO  
UNITED STATES JUDGE  
JUDGE Joseph C. Spero

